UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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:

LEOCADIA JERONIMO,

Plaintiff,

22 Civ. 4166 (LGS)

-against-

<u>ORDER</u>

DISFRUTA PRODUCTS, LLC, et al.,

Defendants.

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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on November 18, 2022, the parties moved for approval of a proposed settlement. An Order issued November 22, 2022, approved the settlement as fair and reasonable based on the nature and scope of Plaintiff's claims and the risks and expenses involved in additional litigation. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206–07 (2d Cir. 2015); *Fisher v. SD Protection, Inc.*, 948 F.3d 593, 600 (2d Cir. 2020) (outlining the factors that district courts have used to determine whether a proposed settlement and award of attorneys' fees is fair and reasonable). On December 1, 2022, the parties filed a joint request for the Court to amend its Order to clarify that the matter was dismissed with prejudice, as contemplated by the parties, or in the alternative, to re-open the case. It is hereby

ORDERED that this action is dismissed, with prejudice, in its entirety and with no award of attorneys' fees or costs. The Court declines to retain jurisdiction to enforce the settlement agreement and the parties are directed to the appropriate forum in the event of a breach.

Dated: December 2, 2022 New York, New York

LORNA G. SCHOFIELD

UNITED STATES DISTRICT JUDGE